

May 22, 2005
Clerk of the Supreme Court
1501 W. Washington Suite 402
Phoenix, Arizona 85007

Dear Clerk of the Arizona Supreme Court,

I am writing this letter to comment on the use of court reporters in the State of Arizona. Arizona court reporters are professionally trained and highly-skilled individuals who are mandated by law to be certified by the Supreme Court, and required to meet demanding speed and accuracy proficiency levels, and provide proof of continuing education courses, while being held accountable to the Supreme Court itself, the Court of Appeals, Judges, Attorneys, and the general public as a whole.

Electronic digitally recorded proceedings are transcribed by people who are not certified, and have not necessarily had any formal court training to be able to distinguish from a tape as to what is proper testimony, and what is privileged attorney/client conversation not intended to be part of the public record, just as one example.

Transcripts I have seen from electronic courtrooms often have the word "(inaudible)" inserted in some of the most crucial testimony. A certified court reporter can ask for clarification of a word or words at the instant it happens to be sure of an accurate record as opposed to listening to a CD at a later time only to find out that such testimony is "(inaudible)" because of extraneous noises, or poor enunciation, or a myriad of other factors.

I have on occasion been asked to cover a courtroom where an FTR system was malfunctioning. I have yet to have an FTR system cover for me.

I recently spoke to an attorney who told me that he ordered a transcript from a digitally recorded courtroom proceeding and was informed that something had gone wrong and there was no record of the proceeding available.

Other states have returned to live court reporters after switching to electronic recording systems and finding out that these systems are an inferior method for making verbatim transcripts with costs that are equal to or higher than that of a professional court reporter with

state-of-the-art computer transcription systems and realtime capabilities.

I urge the Supreme Court to uphold the high standards of the Arizona Judicial System by insuring the most professional and accurate means of record keeping will continue to be instituted, and use certified reporters in all court and deposition proceedings whenever possible.

Sincerely,

John T. Bouley
Certified Court Reporter in Pima County